

William J. Fields (admitted *pro hac vice*)  
wfields@zlk.com

## **LEVI & KORSINSKY, LLP**

## LEVI & KORSINSKY, LLP

30 Broad Street, 24th Floor

New York, New York 10004

Tel: (212) 363-7500

Fax: (212) 363-7171

*Attorneys for Plaintiff*

[Additional counsel on signature page]

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

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2                   **NOTICE OF VOLUNTARY DISMISSAL**  
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4                   WHEREAS, on July 20, 2018, Plaintiff initiated the above-captioned action (the  
5 “Action”) by filing a complaint (the “Complaint”) against defendants Marathon Patent  
6 Group Inc. (“Marathon”), Doug Croxall, Edward Kovalik, Christopher Robichaud, Richard  
7 Tyler, AND Richard Chernicoff (collectively, the “Defendants”);  
8

9                   WHEREAS, no class of Marathon shareholders has been certified, and thus, the  
10 dismissal of this Action will not prejudice the interests of other Marathon shareholders;  
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12                   WHEREAS, no defendant in this Action has answered the Complaint or filed for  
13 summary judgment.  
14

15                   NOW, THEREFORE, Notice is hereby given that, pursuant to Federal Rule of Civil  
16 Procedure 41(a)(1)(A)(i), Plaintiff Tony Ramirez (“Plaintiff”) hereby voluntarily dismisses  
17 this Action with prejudice. Federal Rule of Civil Procedure 41 allows plaintiffs to  
18 voluntarily dismiss an action without court order, subject to Rule 23(e) and any applicable  
19 federal statute, by notice of dismissal “before the opposing party serves either an answer or  
20 a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(i). Voluntary dismissal  
21 without Court order is appropriate here because there is not a certified class under Rule 23,  
22 and Defendants have not filed an answer or a motion for summary judgment. *See* Fed. R.  
23 Civ. P. 23(e).  
24

25                   ACCORDINGLY, Plaintiff states as follows:  
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27                   1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff  
28 voluntarily dismisses the Action; and  
29

30                   2. The Action shall be dismissed with prejudice as to Plaintiff only.  
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1 Dated: December 17, 2018  
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**LEVI & KORSINSKY, LLP**

3 By: /s/ William J. Fields  
4 William J. Fields (admitted *pro hac vice*)  
5 Joseph Levi  
6 Amy Miller (admitted *pro hac vice*)  
7 Samir Shukurov  
8 LEVI & KORSINSKY, LLP  
9 30 Broad Street, 24th Floor  
New York, New York 10004  
Tel: (212) 363-7500  
Fax: (212) 363-7171

10 **LEVI & KORSINSKY, LLP**  
11

12 Adam C. McCall (SBN 302130)  
13 445 South Figueroa Street, 31st Floor  
14 Los Angeles, California 90025  
Telephone: (213) 985-7290  
Facsimile: (202) 333-2121

15 *Attorneys for Plaintiff*  
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